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Fiftieth session

SUMMARY RECORD OF THE 535th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 4 October 1999, at 3 p.m.

Chairman: Mr. PÉREZ HERNÁNDEZ (Spain)

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The meeting was called to order at 3.15 p.m.

ANNUAL THEME: STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY (agenda item 4) (continued) (A/AC.96/923)

1. Mr. BEHZADIAN (Islamic Republic of Iran) said that, despite the continuous efforts of the international community, the refugee crisis was still one of the most alarming problems the world faced. Refugee flows resulted mainly from tensions and local conflicts, inequitable regional and international relationships, and other causes such as underdevelopment, the gap between rich and poor, drought, natural disasters and environmental degradation: that explained the extent and complexity of the crisis, which had now taken on an international dimension. Solving the problem would require the political will of the whole international community, particularly since the developing countries which hosted three quarters of the world's refugee population did not have sufficient economic or financial resources.

2. The Islamic Republic of Iran, with 2 million refugees, had been the major host country for eight years. Each year it devoted considerable sums to meeting refugees' basic needs, an outlay that made deep inroads into its development programmes, while annual international assistance to refugees in Iran was minimal. Iran expected UNHCR to increase its allocation to refugees in the country and to ease its budgetary regulations so as to make it possible for any monies not used by the end of the fiscal year or left over as a result of foreign exchange rate differentials to be used for the benefit of refugees.

3. Protecting refugees was not merely a matter of adopting resolutions indicating the international community's desire to uphold refugees' rights, but also a matter of granting them entry and refugee status in the host countries. The degree to which countries shouldered that responsibility varied: it was therefore necessary to strengthen partnership and increase burden-sharing. The efforts made in recent years at the international level to put an end to conflicts, mass killings and ethnic cleansing showed that, through international will, consensus and cooperation, peace could be achieved and humanitarian tragedies throughout the world could be halted. The international community should concentrate on the situation of displaced persons in the Middle East and South-East Asia and on the search for a lasting solution to the problem of refugees in Afghanistan and Iraq, by providing a climate that would allow them to return to their countries and enjoy their human rights.

4. The Islamic Republic of Iran considered that voluntary repatriation was still the best solution. The international community, and UNHCR in particular, should therefore make efforts to strengthen that process through concrete programmes with adequate financial resources, with a view to restoring peace and stability in war-torn territories, assisting reconstruction and building up returnees' self-reliance.

5. The Iranian Government was currently working with UNHCR's office in Tehran on a joint programme for the voluntary repatriation of Afghan refugees. In the past year, a number of returnees had crossed back into Iran. The international community should bring pressure to bear on the Taliban group to stop the war and end human rights violations in Afghanistan.

6. If voluntary repatriation could not be carried out soon enough, resettlement on a much broader basis than was currently the case should be considered. The Islamic Republic of Iran commended the efforts of international NGOs on behalf of refugees on its territory.

7. Mr. van der HEIJDEN (Netherlands) said that security was of fundamental importance, as his delegation had seen during the Netherlands' presidency of the Security Council during the previous month. Protection was UNHCR's prime mandate, but it could only fulfil it through partnerships and security. That had been demonstrated in Kosovo, Sierra Leone and East Timor, as well as in the Great Lakes region. In the Great Lakes, UNHCR had been confronted with an almost impossible situation that had obliged it to compromise on humanitarian principles and even to withdraw. That had prompted the High Commissioner to call for a new partnership for security and protection, linking the international community's political responsibility and humanitarian aid.

8. Some progress seemed to have been made in that direction since 1998, partly through the adoption of the Rome Statute of the International Criminal Court, which made it possible to apply the principle of individual accountability to those guilty of atrocities and also covered violence against humanitarian workers; and partly as a result of the growing conviction that the Security Council should take action in cases of widespread violations against civilians in armed conflict. In that regard, the report of the United Nations Secretary-General on the protection of civilians in armed conflict (S/1999/957), prepared at the request of the Security Council, represented an important contribution to the strengthening of partnership for security. In its resolution 1265 (1999), the Security Council expressed its willingness to consider the recommendations made by the Secretary-General in his report, inter alia, by reactivating the International Fact-Finding Commission set up in accordance with the first Additional Protocol to the Geneva Conventions. The Netherlands hoped that the forthcoming International Conference of the Red Cross and Red Crescent would make further contributions to that important issue.

9. Different situations required different approaches, but the Netherlands Government wholeheartedly supported calls made by UNHCR and other agencies for a greater balance in addressing humanitarian needs worldwide. Greater efforts should be devoted in particular to Africa, where most of the "forgotten conflicts" were raging. With regard to partnerships for security, initiatives such as the Regional Meeting on Refugee Issues in the Great Lakes, organized in 1998 by UNHCR and the Organization of African Unity (OAU), as well as several follow-up actions in the region, were of particular relevance.

10. The tangible partnerships established by UNHCR with peacekeeping forces in order to protect refugees, and with NATO during the Kosovo crisis, might give rise to questions about the impartiality of humanitarian aid. However, opinion seemed to be moving in favour of those who believed that the prime task was to ensure the protection and safety of innocent populations. In that regard, he said that the Netherlands representative to the fifty-fourth session of the General Assembly had called on politicians to acknowledge that the balance between sovereignty and human rights and between State and people was shifting.

11. He hoped that the international community would take the necessary action to ensure that populations were no longer harassed by the purveyors of terror and that humanitarian workers did not remain isolated and helpless in the face of crisis. The situation in East Timor showed

both the progress made by the international community in reacting swiftly and determinedly to a major humanitarian crisis, and the manifold obstacles yet to be overcome. In view of the difficulties UNHCR was facing in bringing relief to the region's refugees, it was essential for the international political community and the humanitarian community to work closely together in order to resolve them.

12. Ms. BENTANCOURT (Venezuela) said that UNHCR's basic mission - to ensure the full protection of persons displaced by violence - had become extremely complex and required effective support. UNHCR could not deal with such situations alone. Although it made valiant efforts at coordination in the field, partnerships were clearly essential. Venezuela wholeheartedly endorsed the principle in a broad sense, although it must translate into active cooperation with all levels of government, international and regional organizations, cooperation and finance agencies, civil society, local associations and church authorities. Moreover, such partnerships should address not only the refugee issue, but also development. Venezuela welcomed the recent initiative by the High Commissioner and the President of the World Bank to link humanitarian relief and long-term development more closely.

13. Cooperation was also required in order to prevent crises and thereby avoid mass population displacements. UNHCR's mandate should allow it to coordinate international preventive action both with the Governments of potential countries of origin and with the Governments of potential host countries. Such cooperation should aim at strengthening emergency preparedness and response capabilities.

14. It was also of vital importance to flesh out the international standards of protection and clarify a number of as yet poorly defined concepts, including the concept of an internally displaced person. That concept should be given a clear legal definition that could be included in UNHCR's mandate. Some thought must also be given to defining specific situations, such as bilateral cooperation between concerned countries, with UNHCR participation, and temporary protection for internally displaced persons.

15. Refugee protection extended also to preparations for their return. It included the physical safety of refugees themselves, whether they were in camps or in reception areas, and that of humanitarian personnel. Lastly, referring to paragraph 38 of document A/AC.96/923, she emphasized that successful partnership required adequate resources and must be seen as mutual cooperation.

16. Mr. BRENTON (United Kingdom of Great Britain and Northern Ireland) said that he associated himself with the statement made by Finland on behalf of the European Union. It fell to States, and particularly to members of the Executive Committee, to ensure that UNHCR received the necessary material and political support to carry out its role effectively. The past year had brought major new challenges to UNHCR and its partners, with massive displacements in Kosovo and East Timor and continuing humanitarian crises in Africa and elsewhere. The United Kingdom would continue to assist UNHCR to fulfil its protection role and welcomed the High Commissioner's intention to strengthen the Office's emergency response capacity.

17. The British Government also supported Ms. Ogata's efforts to promote States' accession to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and welcomed

the accession of Georgia and Kazakhstan to those instruments. Many receiving States found it difficult to meet their obligations under the Convention and the Protocol: relieving that burden, by promoting the early voluntary return of refugees to their homes in safety and dignity, was a shared challenge.

18. UNHCR could not take sole responsibility for protecting refugees; a range of partnerships was required. The United Kingdom welcomed the efforts UNHCR had made in recent years, through its "reach out" consultations with States, international organizations, NGOs and the corporate sector. A key example of partnership was the development of regional migration management processes. The European Union was working towards a common policy on migration and asylum, issues that were currently being considered by a high-level working group. The European approach should ensure that asylum procedures were fair and effective, thus making it possible to provide protection to those who genuinely needed it, tackle the illegal trafficking of humans and consider the root causes of migration in partnership with countries of origin and countries of transit.

19. In other regions, the United Kingdom welcomed the follow-up activities to the CIS Conference, and the Bangkok process. Such regional partnerships could help enhance the protection of vulnerable populations and reduce the tensions that could arise between States when migration was not properly managed.

20. It was the international community's task to ensure the physical safety of refugees and civilian populations in situations of armed conflict. The United Kingdom warmly welcomed the Secretary-General's recent report on the protection of civilians in armed conflict (S/1997/957): careful consideration should be given to his recommendations on the separation of combatants from civilians in refugee camps. He welcomed the fact that UNHCR had already begun relocating camps that were too close to the border with refugees' country of origin, as the report had suggested. The United Kingdom encouraged receiving countries to work with UNHCR in deciding the location of camps.

21. Greater attention must be given to preventing emergencies arising, by promoting respect for human rights, good governance and the eradication of poverty. But it was not always possible to prevent conflict. He welcomed the Secretary-General's thoughtful remarks to the General Assembly on intervention when conflict prevention failed. While military action must always be the last resort, there was a shared responsibility to act when confronted with genocide, mass displacement or major breaches of humanitarian law. In Kosovo, for example, firm action by the international community had resulted in success. The United Kingdom had given support in kind to that operation in order to enhance UNHCR's effectiveness on the ground. Now that some 800,000 Kosovar Albanian refugees had returned, efforts must be focused on improving their shelter before winter set in and on establishing a multi-ethnic Kosovo.

22. The international community was also responding rapidly in East Timor, but there was still cause for great concern at the situation of several hundred thousand persons displaced by violence and intimidation. The United Kingdom welcomed Indonesia's undertaking to provide access for UNHCR and other humanitarian agencies in West Timor, following Ms. Ogata's visit: he urged the Indonesian Government to give its full cooperation on the ground in order to ensure the safety of the displaced persons and to allow those who wished to return to do so.

23. Such recent crises must not divert attention from the plight of other refugees and internally displaced persons around the world. There were about 21 million people of concern to UNHCR, and many of them were in situations where humanitarian access was difficult. It was vital to enhance their security and that of the humanitarian workers trying to help them. In that regard, he paid tribute to the dedication and courage of UNHCR staff, many of whom were working in extremely dangerous conditions.

24. Mr. BURUSAPATANA (Thailand) said that the international community was facing unprecedented humanitarian challenges and should give serious consideration to the concept of humanitarian intervention, a new aspect of collective action, which had been proposed by the Secretary-General to the United Nations General Assembly. To be successful, the concept would need to be developed further on the basis of legitimate and universal principles.

25. For more than three decades, Thailand had been helping hundreds of thousands of refugees and asylum-seekers from neighbouring countries such as Cambodia, Laos, Viet Nam and Myanmar. It therefore attached great importance to partnership on the issue of refugees and displaced persons: the idea lay at the heart of any durable solution to humanitarian crises. The success of the Comprehensive Plan of Action (CPA) in South-East Asia provided a clear answer to the question asked in the thematic paper under discussion: "Why do we need partnerships?". The Plan had taken into account all the dimensions of the refugee issue and the interests of all the parties concerned.

26. The last camps housing Cambodian refugees in Thailand had closed in April 1999 and his delegation was pleased to learn that UNHCR's reintegration assistance to Cambodia was continuing through the implementation of community based "Quick Impact Projects". Thailand had itself provided that kind of assistance to Cambodia through the intermediary of international humanitarian agencies and NGOs, in the knowledge that partnership for long-term development was necessary if sustainable repatriation was to be ensured.

27. Some Lao refugees had been in Thailand for more than 20 years and, following consultative meetings between the Thai and Lao Governments and UNHCR, it had been agreed that about 1,160 Lao who had not been granted refugee status would be returned to their country by the end of the year with UNHCR repatriation and reintegration assistance. That, too, was undoubtedly an example of constructive partnership.

28. Along its western border, Thailand had for many years shouldered a considerable burden with limited resources. The presence of a large number of displaced persons in that area had had adverse consequences for the local population in terms of environmental degradation, deforestation, pollution and the spread of disease, as well as a psychological impact on villages and problems of security. The partnership established in order to find a sustainable solution for some 100,000 displaced persons from Myanmar had gained momentum under the working arrangements agreed between the Thai Government and UNHCR. His Government would like to see UNHCR engage more with the Myanmar authorities in order to obtain an assistance role within that country, particularly with a view to providing free reintegration assistance to returnees. UNHCR should adopt an offensive rather than a defensive strategy in that regard.

29. With regard to partnership at the regional level, his delegation wished to express its thanks for the work of UNHCR, the International Organization for Migration (IOM), ICRC and the Asia-Pacific Inter-Governmental Consultation (APC) on Refugees, Migrants and Displaced Persons.

30. Mr. LUNDE (Norway) said that events in Kosovo and East Timor and the prolonged conflicts in Africa and elsewhere in the world demonstrated the need for greater solidarity and deeper reflection on how the international community could help more effectively. UNHCR, whose dedicated staff had tackled formidable challenges during the past year, could not fulfil its mandate if it could not rely on effective partnerships.

31. Partnership with States was founded on those States' obligation to provide asylum and protection to refugees. Norway endorsed UNHCR's drive for universal ratification of the 1951 Convention and the 1967 Protocol and welcomed the recent accession of Georgia and Kazakhstan to those instruments. Partnership with States was a pre-condition for sustainable solutions and he welcomed UNHCR's efforts to increase the number of resettlement countries, although voluntary repatriation remained the preferred solution.

32. UNHCR's partnerships with regional organizations had resulted in regional instruments that were welcome additions to the international protection regime. The important lessons learned from regional or subregional partnerships, such as the Comprehensive Plan of Action (CPA) in South-East Asia and CIREFCA in Central America, could provide a model for other regions. Many current refugee situations demanded regional approaches that took account of the social, economic, political and humanitarian dimensions, with a central role for regional and subregional partners. UNHCR's cooperation with OAU and OSCE was significant in that regard. The partnership with OSCE had helped in dealing with problems of refugees and displaced persons in the CIS countries and had proved its relevance again during the Kosovo crisis.

33. Turning to partnership with other international organizations, he said that UNHCR's mandate complemented that of ICRC, UNHCHR and the human rights treaty bodies. That partnership was indispensable in addressing the situation of internally displaced persons and the guiding principles on displaced persons provided a useful basis for further concerted action. Strategic partnerships with other parts of the United Nations system were needed, as well as with the financial situation and bilateral actors, particularly in order to ensure the transition from war to peace, when large groups of refugees and displaced persons needed to be reintegrated. The negative social and economic impact on countries hosting refugees should be addressed from that perspective.

34. NGOs were vital partners in the area of protection and assistance and Norway supported the revitalization of Partnership in Action (PARinAC). The Year 2000 PARinAC Plan should focus on how best to meet the common objective of protecting refugees, in particular vulnerable groups.

35. With regard to partnership with civil society, the protection role played by local communities and host families could not be overestimated. The success or failure of various mechanisms of protection often depended largely on the goodwill of ordinary people and their communities, as had recently been seen in Kosovo and East Timor.

36. A crucial partnership was the one formed with refugees themselves. Norway encouraged UNHCR to continue to involve refugees in its work in the field. He pointed in particular to the valuable experience gained from community-based projects in Africa for the empowerment of women and the strengthening of their protection role.

37. The "Reach Out" consultations had proved successful in building support for protection from all partners - from States to NGOs and from United Nations agencies to corporations. Norway believed that UNHCR should take the lead in approaching traditional and non-traditional partners in order to open up the consultations to new partners.

38. A variety of partnerships was also vital in addressing growing security concerns. States must take concrete steps to enhance the safety of peacekeepers and humanitarian personnel and must hold all States and non-State actors accountable for their attacks on humanitarian workers operating in territory under their control. New partnerships had emerged between UNHCR, local police forces and the police of third countries with the aim of ensuring camp security. More should be done to guarantee the civilian and humanitarian character of refugee camps and security around those camps. Norway had taken a particular interest in enhancing the capacity of local police in the field of democracy and human rights. The training-for-peace programmes in southern Africa should serve as an example for other regions of the world.

39. Mr. DORAIS (Canada) said that the UNHCR Executive Committee had been and remained an instrument for partnership on behalf of refugees. Canada welcomed UNHCR's initiatives to develop new partnerships in the domains of business, science and culture, but protection remained primarily States' responsibility. It was therefore essential to call again for the greatest possible number of States to ratify the 1951 Convention and the 1967 Protocol and it was important for Executive Committee members to set an example.

40. The crises that had recently shaken the international community were a reminder that it must always be ready to show solidarity. When such emergencies arose, it must be able to respond in a coordinated and effective manner, particularly in cases of mass migrations of civilians in search of protection. Protection meant the safety both of displaced persons and of those working with the agencies responsible for helping them. Unacceptable violations of humanitarian law and human rights instruments had recently occurred and means must be found of allowing the staff of humanitarian agencies to move around freely and safely in order to bring the required aid to those in need.

41. More and more often in modern conflicts, civilian losses and displacements were an aim of war and the international community must take concerted action in order to deal with the problem. Canada believed that Security Council resolution 1265 (1999) and the Secretary-General's report on the protection of civilians in armed conflict (S/1999/957) were of fundamental significance and that they should be acted on immediately.

42. Host countries' responsibilities must not be forgotten and the first of those was the obligation not to return persons seeking protection. When a mass outflow of refugees occurred, the host country should grant and facilitate access to its territory to humanitarian agencies. In such cases, UNHCR should be given the status of lead agency in the host country in order to coordinate relief on the ground.

43. NGOs and local communities were vital partners on the ground. NGOs often had skills in areas where UNHCR and States were not always as well equipped. NGO action could be made even more effective, however with better coordination. UNHCR should continue to play a leading role in that regard by coordinating NGOs' operations and delegating special responsibilities to them under partnership agreements.

44. Refugees themselves were an invaluable source of information and genuine partners in meeting their needs and helping with security in the camps. Women refugees had a particularly important role to play, in Africa and elsewhere, women refugees could often do a great deal to resolve conflicts and restore peace.

45. Partnerships should not be confined to areas affected by conflict, but should extend wherever asylum-seekers sought protection. Population flows were now taking new forms and becoming ever more complex. Dialogue with partners must therefore be stepped up and suitable responses found to new situations. Canada itself was concerned at the increase in traffic in migrants and the proliferation of cases where refugee status determination procedures were bypassed. Such abuses were very costly to counter and tended to undermine popular support. Canada wished to work with UNHCR to find innovative and appropriate responses to the new challenges.

46. Lastly, he said that agreement should be reached on additional efforts to be made in the area of conflict prevention and the promotion of sustainable development in order to address the root causes of forced population displacements. When a conflict broke out, it was essential to be ready to respond so as to give the best chance to reconciliation and reconstruction, for example, through demobilization, demining and relief to victims, support from civil society and the establishment of the rule of law and a fully representative Government.

47. Ms. BEDLINGTON (Australia) said that partnerships helped to mobilize a broader array of human and financial resources. A dual-level approach to partnership was needed - strategic and specific. Strategic partnerships included the identification of appropriate bodies and the establishment of links with those bodies. Such partnerships were most valuable in responding at short notice to unpredictable situations like the crises that had broken out in the Great Lakes, Kosovo, East Timor and, recently, Chechnya. UNHCR itself should be seen to be an exemplary partner. Partnership should not exist merely between headquarters, but also in the field. Particular attention should be paid to communication with key partners, including countries of first asylum. Partners must be carefully chosen. The most important partner was the refugee population itself, which was a source of rich and diverse skills and should be engaged in decision-making and service provision.

48. In the past, UNHCR's traditional partners had always been States, NGOs and other international organizations. It was time to bring in new partners - the corporate sector and

private individuals. One example was the operation to establish safe havens for Kosovar evacuees, which had involved a number of public and private Australian institutions, as well as families. UNHCR had the integrity and credibility to impress on new partners the importance of their engagement. It was essential that the available financial and human resources should be used efficiently. She commended UNHCR on the progress made in strengthening the evaluation function, but more remained to be done. Partnerships must also aim to prevent the conditions that created refugee flows by addressing their causes. Efforts must therefore be made to promote sustainable development, poverty reduction and good governance. Partnerships must also take on other particularly critical tasks: protection in the countries of first asylum, refugees' security, security-training programmes, the establishment of safe havens, support for local integration and voluntary repatriation in conditions of safety; support for post-conflict reconciliation and resettlement in other countries; and lastly, combating misuse of the institution of asylum and the traffic in persons.

49. One of the principal lessons to be learned from the experience of the past five decades was that no single State or organization could take on the task of international protection of refugees on its own. Partnerships were therefore necessary, but also the political will to provide the required supportive framework. Differences and diversity could become strengths when harnessed in cooperative partnerships working for the common good, for protection, for human dignity and for human rights.

50. Ms. KUNADI (India) said that any partnership must necessarily focus on both protection and burden-sharing. The refugee problem was basically a humanitarian issue and had to be everyone's problem if it was not to run the risk of becoming no one's problem. India believed that the concept of partnership should cover cooperation not only between UNHCR on the one hand, and States and other concerned actors on the other, but also between States and other concerned actors. Refugee protection was of course primarily the responsibility of States, but in a world profoundly affected by globalization, forced displacement could not be regarded as the problem of receiving countries only: a global response must be found. When talking of protection, it was important to guard against an excessive focus on physical safety; the human dignity of refugees, the protection of their rights and the search for sustainable solutions were equally important components.

51. The importance of partnership could not be over-estimated in an environment where signatories to the Convention relating to the Status of Refugees were setting aside its provisions and even questioning the fundamental principle of non-refoulement. Refugees were faced with restrictive practices such as border closures, interdiction at sea, expulsions and premature returns to an insecure environment, imposed by countries that had the economic ability and the duty to give them asylum and protection. And yet, as was well known, it was predominantly developing countries that were hosting refugees. In doing so, they risked their environment, their economy and their social fabric in order to provide refuge to millions of people. Addressing the needs of those countries must therefore be made a top priority.

52. Referring to the key elements of partnership mentioned in paragraph 9 of document A/AC.96/923, she said her delegation believed that the best way to address the refugee problem was to deal with its root causes and she welcomed the recognition of the need to ensure a transition from relief to sustainable development. However, India did not agree with the concept

of partnership for "monitoring human rights", an expression with negative connotations. Her delegation favoured dialogue, cooperation and national capacity-building in order to ensure the prevention of situations involving gross violations of human rights that had the potential to generate massive refugee flows. No partnership should cast doubt on UNHCR's non-partisan and impartial status. There was a body of opinion that said that partnerships should be reinforced through States' accession to various conventions and protocols. That was a narrow and restrictive way of looking at things. India believed that the essence of partnership was sharing a common objective. India was not a signatory to the 1951 Convention, yet hosted a large number of refugees and funded its refugee programmes entirely from its own resources. Lastly, India recognized the need to ensure the protection of humanitarian personnel and was aware of the problem posed by the presence of armed elements in refugee camps; assistance should be given on request to help concerned States enhance their capacity to guarantee the required security.

53. Ms. RÓDRIGUES (Mozambique) said that, with the help of UNHCR and the international community, her country had taken on the task of repatriating, resettling and reintegrating populations that had fled from Mozambique and sought refuge in other countries. Despite its scarce resources, Mozambique was determined to maintain its traditional solidarity with all refugees. It also wished to enable others to benefit from its experience.

54. UNHCR's prime mandate was to lead and coordinate international action for the worldwide protection of refugees and the resolution of the refugee problem. By virtue of its activities, it also promoted peace and international security, the development of friendly relations among nations and respect for human rights and fundamental freedoms. In that regard, partnership offered a new way to deal with the complex problems presented by refugee movements. The problems were becoming ever more formidable owing to the rapid changes taking place in an increasingly complex international environment. Support for the institution of asylum was declining and humanitarian law and human rights were being deliberately and flagrantly violated in situations of armed conflict; civilians, and in particular the elderly, women and children, were targeted more and more frequently; the risks faced by humanitarian personnel were constantly growing; and an ever growing number of irregular migrants, armed elements, drugs and arms traffickers and other criminals were seeking refuge alongside genuine refugees. That showed how important it was to establish creative partnerships aimed at a concerted international approach to guarantee refugees' physical safety and strengthen respect for human rights and humanitarian law. Even when partners did not take the same approach to issues, it was vital for them to work together and pool their resources in order to address root causes, guarantee respect for human rights, promote capacity-building in host States and guarantee a secure environment for returnees, including disarming and effective de-mining operations. Another critically important security issue was the re-integration of demobilized soldiers into civil society.

55. Mozambique was facing two daunting challenges: on the one hand, hundreds of thousands of refugees from other countries needed its help and, on the other, hundreds of thousands of Mozambicans were still refugees in other countries and were anxious to return home. The concentration of refugees around the major city of Maputo, in the south of the country, was giving rise to serious problems: crime rates were soaring, while massive drugs and arms trafficking operations were becoming established and spreading into neighbouring

countries. With its partners in the Southern African Development Community (SADC), Mozambique was attempting to find the most appropriate means of tackling the problems. The continuation and escalation of the armed conflicts in Angola and the Democratic Republic of the Congo constituted a serious threat not only to the lives of refugees and displaced persons, but also to the political, social and economic stability of the region.

56. Another issue of concern to the Government of Mozambique was the deplorable situation of the East Timorese refugees, particularly those at present in West Timor. The Government welcomed the High Commissioner's recent visit to refugee camps in that region. Creative and constructive partnerships based on the complementarity of human rights, humanitarian law and refugee protection and security might allow sustainable solutions to the refugee problem to be found.

57. Mr. MOHAMMED (Nigeria) said that the Executive Committee's annual theme underscored the importance of partnerships at a time when providing international protection to refugees and other persons of concern to UNHCR was becoming more and more difficult as the international environment increased in complexity. The notion of asylum was itself very complex, with armed and criminal elements seeking asylum alongside genuine refugees. Only through a concerted international approach based on partnership would it be possible to deal with such situations. Nigeria welcomed the innovative, dynamic and comprehensive approach being adopted by UNHCR. Recently, the Kosovo crisis had provided a good example of international solidarity and burden-sharing, involving ICRC, the OSCE verification mission in Kosovo and local and international NGOs.

58. After 16 years of military rule, Nigeria had just made the transition to civilian government. It was building or rebuilding democratic institutions and needed to mobilize all available resources to that end. He therefore called on the international community to increase its assistance to the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG) in order to bring lasting peace to Sierra Leone and consolidate the tenuous peace in Liberia. Past experience - in South-East Asia, Central America and Kosovo - had shown that, with the necessary will, the international community could resolve a crisis and find a lasting solution. Nigeria asked it to show the same solidarity in dealing with the conflict in Sierra Leone and contributing to reconstruction in Liberia, Rwanda and Angola in order to ensure lasting peace there. It would also like to see a demonstration of commitment by the international community in support of regional and subregional initiatives to prevent or resolve conflicts or restore peace, such as the current efforts being made by ECOWAS to avert a crisis between Liberia and Guinea.

59. Liberia exemplified the socio-economic and environmental problems that arose in countries hosting mass influxes of refugees. Burden-sharing mechanisms should aim to alleviate such problems, which had received more rhetorical than practical attention to date. In order to improve the conditions of civilian populations affected by armed conflict, Nigeria called for a code of conduct to be prepared, providing for goodwill missions to be sent to all parties to ensure that they respected the rules of war, allowed access to civilian populations and put a stop to all the vices that had become common practice in modern conflicts.

60. NGOs had become indispensable partners, as Partnership in Action (PARinAC) showed. Nigeria urged UNHCR to build up the capacities of local NGOs, particularly in Africa, in order to help them cope better with emergencies. The President of Nigeria had declared the 12 months from June 1999 to June 2000 the year of peace in the African continent. Nigeria, with its new order based on democracy and the rule of law, would continue to uphold the principles of the 1951 Convention, the 1967 Protocol and the 1969 OAU Convention.

61. Mr. PETIT (France) said that he fully endorsed the statement made by the representative of Finland on behalf of the European Union. The choice of partnership as the annual theme of the fiftieth session of the Executive Committee had been given added relevance by the fact that the recent crises in Kosovo and East Timor, together with the situation in several regions of Africa, showed that it was impossible for a single organization, regardless of its qualities, to meet such humanitarian challenges alone. Only through partnership could a broader range of skills and greater flexibility be brought to bear on each situation. France welcomed the search for new partnerships, but it was up to UNHCR to ensure that everyone respected the humanitarian values that guided its action.

62. The recent crises had highlighted the difficulties of coordinating relief activities. OCHA had a key role to play in that regard and its establishment had been a real step forward. All those participating in a humanitarian operation had to understand and respect collective action, which was the key to efficiency. The experience of the programme of humanitarian evacuation for Kosovars had shown how effective partnerships between humanitarian agencies and Governments could be, provided that certain criteria were observed.

63. First of all, the creation of partnerships required a comprehensive view of the humanitarian problem and how to respond to it. In addition, each participant's mandate should be respected. In that regard, France believed it was particularly important to make protection the mainstay of UNHCR's mandate and would like UNHCR to take direct responsibility for protection. Complete transparency among those participating in UNHCR-led operations, in particular NGOs, was extremely important. Last and most important, humanitarian actors must take full account of refugees' wishes, which provided the justification for their action. France commended UNHCR's consultations with refugees during the Kosovo crisis. Naturally, partnership was not confined to the immediate humanitarian response, but must continue during the period of reconstruction.

64. It was in that spirit that France had actively participated in the donors' conference on the reconstruction of Kosovo and was contributing to the long-term deliberations being carried out within the Inter-Agency Standing Committee (IASC). It also welcomed the agreement reached on the principles applied by the European Union for financing and co-financing United Nations-run programmes and projects. Aware of the need for a joint approach to asylum and migration issues, France and Germany had adopted a common position advocating absolute respect for the right of asylum and requesting the early implementation of the new provisions of the Treaty of Amsterdam. All those experiences showed that a well-organized partnership was a source of mutual enrichment and therefore of more efficient service to refugees.

65. Lastly, he paid tribute to those humanitarian workers who had opposed hostage-takers or refused to withdraw from the country, since that would have meant abandoning large numbers of refugees under their protection.

66. Mr. KALASHNIKOV (Russian Federation) said the theme of the session was of great relevance and that his country was in favour of strengthening the international refugee status determination regime based on the 1951 Convention, in view of the geopolitical changes the world was currently experiencing and the differences in levels of economic development between the various regions. Following the disintegration of the Soviet Union, the Russian Federation had acceded to the 1951 Convention and its 1967 Protocol and adopted federal legislation in accordance with international standards of refugee protection. A system of immigration control had been set in place and immigration policy was being developed. The Russian Federation was grateful to UNHCR for its legal and material assistance in that regard. It was now impossible for persons in the Russian Federation to be denied access to refugee status determination procedures or to be expelled to States where they might be in danger.

67. Nevertheless, the lack of resources meant that the Russian Federation was finding it difficult to provide effective assistance to all those who needed it. An analysis of migration flows showed that a large number of foreigners used Russian territory as a transit area on their way to the developed western European countries for economic reasons. Many of them registered as asylum-seekers with UNHCR's Moscow office, but failed to notify the Russian migration authorities and obtain legal status in the country. In addition, there was a serious problem with displaced persons, because, if they opted for Russian nationality, they forfeited the right to international protection. The Russian Federation was having to take sole responsibility for protecting the rights of displaced persons, who now numbered 5 million. Those problems were being addressed as part of the Programme of Action of the CIS Conference and the Russian Federation therefore supported its extension beyond the year 2000 and appealed for wider support from donors and international organizations.

68. The Russian Federation welcomed UNHCR's activities in various conflict zones around the world, but pointed out that humanitarian assistance must of necessity go hand in hand with political efforts to resolve conflicts. It was firmly against the politicization of the activities of humanitarian agencies and urged UNHCR to maintain a neutral position in all circumstances, in accordance with its status. Lastly, donor attention to crises in certain regions must not adversely affect the victims of conflicts in other regions.

69. Mr. BENJELLOUN-TOUIMI (Morocco) said that the number of refugees was continually increasing, yet funds were frequently insufficient to implement relief programmes. Partnerships between UNHCR, States and international organizations could therefore be the key to effective action to help refugees. Moreover, the statutes of UNHCR stated clearly that, although it was the only world institution with responsibility for the refugee problem, it could enter into partnerships with other international actors.

70. His delegation was aware of the vital contribution made by NGOs in the field of humanitarian aid; it was important that partnerships between NGOs and UNHCR should develop

in a spirit of transparency and good order. A number of NGOs were taking uncoordinated initiatives on the basis of an imagined partnership with UNHCR. Such actions could tarnish the image of an organization that was beyond reproach and had always carried out its mission on behalf of refugees courageously and selflessly. It was vital to encourage and strengthen partnership between UNHCR and States, since States possessed the expertise and logistical and other vital resources to make a significant contribution to UNHCR's activities. UNHCR was, however, right to point out that its obligation to maintain at all times its position as an impartial and neutral humanitarian actor might in some cases work against partnership. His delegation believed that that was a crucial point, since UNHCR's credibility, prestige and power lay in its impartiality. Necessary though they might be, partnerships should in no way lead to changes in the humanitarian and political nature of an organization whose action deserved the respect and support of the entire international community.

71. The suffering of millions of refugees in other regions of the world should not distract from the humanitarian tragedies taking place in Africa - Sierra Leone, for example - which UNHCR was trying to deal with using ever dwindling financial resources. It was important for donor countries to address the situation as soon as possible, since all refugees warranted equal attention. With regard to Western Sahara, Morocco confirmed its support for the United Nations implementation plan and hoped that the referendum process would be carried out in full respect for the principles of fairness and equity and in accordance with the established timetable. Morocco also urged UNHCR to continue its intensive preparations for the repatriation of the refugees, in accordance with its mandate under the implementation plan. The Moroccan Government, for its part, had agreed in principle to the proposed confidence-building measures and hoped that UNHCR would soon take the decisions required to begin implementation.

72. Father BLUME (Holy See) said that, although physical safety was a major component of refugee protection, there were a number of others that were equally important, including the social fabric and political will of the host countries. Protection in every sense therefore required partnership and the coordination of many individuals and organizations. It was clear that, in Kosovo, for example, without the presence and coordination of UNHCR as lead agency, the humanitarian crisis would have been even more serious. It was important to note, however, that refugees and displaced persons, especially those most removed from the attention of the international media, could easily be ignored when protection was selective and driven by factors other than the promotion of the dignity of all people. Pope John Paul II had recently recalled that the minimum of protection of the dignity of every human being, guaranteed by international humanitarian law, was too often violated in the name of military or political necessities, which must never have priority over the value of the human person.

73. UNHCR could clearly not solve all the problems alone. Many partnerships needed to be forged or strengthened in order to resolve the political problems that made thousands of innocent people very vulnerable. Protection depended on the rule of law, so it was necessary to restore the rule of law before anarchy took over, particularly in countries emerging from conflict. The role of religious communities in the cultural renewal of such societies must not be underestimated. It was also necessary, in the context of partnership, to revise the restrictive

implementation of international conventions on refugee protection, to speed up refugee status determination procedures and to eliminate the detention of asylum-seekers and refugees except in exceptional cases.

74. Lastly, his delegation was convinced that prevention was the best protection. It was therefore essential that human rights violations, which were the chief cause of crises and refugee flows, should be condemned by the international community and that economic and political goals should never be accorded greater importance than the human person. That was the way to produce a world without refugees.

The meeting rose at 6 p.m.